

Remarks

The paragraphs of the Office action are responded to through the corresponding numbered paragraphs below. The applicant has addressed each issue in turn and, for clarity, has provided a heading for each issue.

Claim Rejections - 35 USC § 103

1. The Examiner rejected claims 1-8 "under 35 U.S.C 103(a) as being unpatentable over Moore." The applicant has requested that claim 1 (on which claims 2-8 depend), be amended to more clearly point out in the applicant's invention the determination are made using a systematic pre-scripted interrogation of callers thereby eliminating the variability due to the different skills of the individual dispatchers and that the criticality value is determined based on responses to preprogrammed inquiries. The criticality value is generated by the system based on specific scripted inquiries and responses. This system specifically addresses the problem created by the Moore approach of the health care provided making a decision on the degree of medical response to the desired personnel, by providing a systematic, pre-scripted, pre-programmed approach for collecting the required information, generating a criticality or "determinate" value, using the criticality value to define the appropriate emergency medical response and for providing programmed instructions. By taking the determination of the criticality from the health care provider, the system of this invention eliminates the variability due to the different skills of the individual dispatchers and improves the accuracy and appropriateness of the patient interrogation and ultimate medical response. Moreover, Moore describes a health care coordinator, who receives a hospitalized patient's signal and reviews the patient's medical profile to make an independent decision on the degree of medical response required. The applicant, therefore, believes that claim 1, and therefore claims 2-8 because they depend on claim 1 and incorporate the limitations thereof, is not described or suggested by the cited, or any other known, reference. The applicant believes that this requested amendment is fully responsive to the rejection of this paragraph. The applicant respectfully requests reconsideration and withdrawal of this rejection.

Response to Arguments

2. The Examiner indicated that the Examiner believes that the health care coordinator, of Moore, reads on a dispatcher. The applicant has requested that claim 1 be amended to more clearly point out that in the applicant's invention the determinations are made based on responses to pre-programmed inquiries and are not based on the independent decisions of the health care coordinator of Moore. The Examiner indicated "the features upon which applicant relies [in applicant's argument]

and REQUEST FOR CONTINUED EXAMINATION

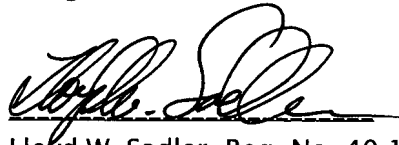
are not recited or represented in claim 1." The applicant has requested that claim 1 be amended to more explicitly recite these features as described by the applicant. The applicant appreciates the Examiner's consideration of the prior response and believes that no specific response to this paragraph is required.

3. The Examiner indicated that this Action is made final. The applicant is responding to this final action, within the permitted extension period with a petition for extension of time and fee, with this amendment and a Request for Continued Examination and fee. The applicant therefore believes that this response is being timely submitted and the applicant respectfully requests entry of this amendment and continued examination of this application.

4. The Examiner has provided information concerning communication and/or inquiries concerning this case. Applicant appreciates the Examiner's willingness to communicate and assist on this case and believes no response to this paragraph is necessary.

The applicant has requested that claim 1 be amended as described. Applicant believes that all issues and points of the Examiner's Office action have been addressed. Applicant believes that claims 1-8 are patentable over all known prior art. Applicant respectfully requests reconsideration and allowance of this application.

Respectfully submitted this 3rd day of August, 2004.



Lloyd W. Sadler, Reg. No. 40,154
PARSONS BEHLE & LATIMER
201 South Main Street, Suite 1800
Salt Lake City, Utah 84111
Telephone: (801) 532-1234
Facsimile: (801) 536-6111